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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,344	12/09/2003	Walter Fleischmann	17240	3553
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SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530				
			EXAMINER SAWHNEY, HARGOBIND S	
			ART UNIT 2875	PAPER NUMBER

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/731,344

Applicant(s)

FLEISCHMANN ET AL.

Examiner

Hargobind S. Sawhney

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3 and 6-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3 and 6-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/13/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The amendment filed on June 13, 2005 has been entered. Accordingly:
 - Claims 1, 3, 4, 6-8 and 11 have been amended; and
 - Claims 2 and 5 have been cancelled.

Information Disclosure Statement

2. The information disclosure statement filed on June 13, 2005 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. The date of publication of each document needs to be formatted as MM/DD/YYYY or MM/YYYY. In addition, the document EP 0691637 A1 has not been considered as no English translation has been provided.

It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e).

See MPEP § 609 ¶ C(1).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5 and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fleischmann (US Patent No.: 6,203,180 B1) in view of Bello, Jr. (US Patent No.: 6,481,877 B1).

Regarding Claim 1, Fleischmann ('180 B1) discloses an aircraft cabin lighting system 8 (Figure 1) comprising plurality of light emitting diodes (LEDs) 9 connected in series, and the LEDs arranged on the ceiling of the aircraft cabin (Figures 2 and 3, column 2, lines 62-67, and column 3, lines 5-7).

However, Fleischmann ('180 B1) does not teach the LEDs of the aircraft lighting being arranged on in a cabin wall.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to rearrange the LEDs of the lighting system in the wall instead of mounting them in the ceiling, since it has been held that rearranging parts of a prior art structure involves only routing skill in the art

Further, Fleischmann ('180 B1) does not specifically teach a control unit having a plurality of outputs each being connected to each of the LEDs of the aircraft lighting system.

On the other hand, Bello ('877 B1) discloses a lighted automotive floor mats (Figure 2) comprising a plurality of lighting units 10 each including at least one LED 22 (Figure 2, column 2, lines 11-23). Bello ('877 B1) further teaches: each of the lighting units being connected to an output Qs (Figure 1) of a control device 20 (Figure 1, column 2, lines 48-56); each of the regulating modules TRs being connected to the respective one of the outputs of the control device 20 (Figure 1); each of the regulating module having its output connected to the respective one of the LEDs (Figure 1); and the device 20 actuating the light units in an operatively independent manner using respective regulating module TRs (Figure 1, column 2, lines 48-56).

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the aircraft cabin lighting system of Fleischmann ('180 B1) by providing the control device as taught by Bello ('877 B1) for the benefits energy saving and operational flexibility of interior illumination.

Regarding claims 3, 4, 8-10, Fleischmann ('180 B1) in view of Bello ('877 B1) discloses the aircraft cabin lighting system further comprising:

- the simultaneously actuated plurality of units 8 being connected in parallel with each other (Fleischmann, abstract and Claim 1);
- the lighting units 8 including a regulating module – included in a power supply unit 14 – supplying a constant current (Fleischmann, abstract, column 3, lines 10-20 and Claim 3);
- the plurality of LEDs 9 representing the color-changing light pattern (Fleischmann, abstract, column 3, lines 26-35 and claims 7 and 8); and

- the arrangement of the LEDs 9 representing a starry sky (Fleischmann, abstract, column 1, lines 62-67) pattern; and
- the actuation of the lighting produce by the LEDs 9 (Fleischmann, abstract, column 2, lines 21-27) coupled to an event – an emergency -.

Regarding Claim 7, Fleischmann ('180 B1) in view of Bello ('877 B1) discloses the lighting system for an aircraft cabin, and the lighting system including a plurality of various color LEDs displaying design or image (Fleischmann, Figure 1, column 2, lines 19-30) on the ceiling of the cabin.

However, neither combined nor individual teaching of Fleischmann ('180 B1) and Bello ('877 B1) specifically teaches the lighting system arranged on or in the cabin wall, and supporting displaying of signs or images.

It would be have been obvious to one of ordinary skill in the art at the time of the invention to arrange the plurality of LEDs in the cabin walls, instead of making an LED arrangement in the ceiling, since it has been held that rearranging parts of an invention involves only routine skill in the art.

Regarding Claim 11, Fleischmann ('180 B1) in view of Bello ('877 B1) discloses the lighting system for an aircraft cabin, and the lighting system including a plurality of LEDs. However, neither combined nor individual teaching of Fleischmann ('180 B1) and Bello ('877 B1) specifically teaches the lighting system comprising five LEDs.

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the aircraft cabin lighting system of Fleischmann ('180 B1) in view of Bello ('877 B1) by providing five LEDs, since such a modification would have involved a

mere change in size of the component. A change in size is generally recognized as being within the level of ordinary skill in the art.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fleischmann (US Patent No.: 6,203,180 B1) in view of Bello, Jr. (US Patent No.: 6,481,877 B1) as applied to Claim 1 above, and further in view of Kazar (US Patent No.: 5,008,595).

Fleischmann ('180 B1) in view of Bello ('877 B1) discloses the lighting system for an aircraft cabin, and the lighting system including a plurality of LEDs emitting different light colors including white produced by mixing different color lights from the LEDs.

However neither combined nor individual teaching of Fleischmann ('180 B1) and Bello ('877 B1) teaches the aircraft cabin light system including means for pulse width modulation.

On the other hand, Kazar ('595) discloses a lighting apparatus (Figure 1) including means supporting actuation of the LEDs 9 with pulse width modulation (Figures 1 and 9, column 7, 7, lines 32-37) for controlling the length of time of each selected LED for production of the predetermined light color.

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the aircraft cabin lighting system of Fleischmann ('180 B1) in view of Bello ('877 B1) by providing the LED modulating means as taught by Kazar (' 595) for the benefits and advantages of controlling the length of time of each selected LED for production of the predetermined light color.

Response to Amendment

6. Applicant's arguments filed on June 13, 2005 with respect to the 35 U.S.C. 103(a) rejection of claims 1-11 have been fully considered but they are not persuasive.

Argument: Fleischmann ('180 B1) is the applicant's own earlier patent which is commonly assigned to the present assignee.

Response: The examiner has noted the above, and the use of Fleischmann ('180 B1) as the prior art for claim rejections under 35 U.S.C. 103(a) has been adequately applied.

Argument: Fleischmann ('180 B1) does not disclose a multi-channel control apparatus having plurality of outputs each connected to respective one of a plurality of regulatory modules, and each of the regulating modules further connected one of a plurality of lighting units.

Response: As detailed in section 3 above, and in the previous non-final office action, Fleischmann ('180 B1) in view of Bello ('877 B1) discloses an aircraft cabin lighting system meeting the limitations recited in the amended Claim 1.

Argument: Interconnection of a plurality of LEDs with regulatory modules for the formation of the lighting unit as claimed by the applicant cannot be ascertained From Bello, Jr.

Response: As detailed in section 3 above, and in the previous non-final office action, Bello ('877 B1) discloses a lighted automotive floor

mats (Figure 2) comprising a plurality of lighting units 10 each including at least one LED 22 (Figure 2, column 2, lines 11-23). Bello ('877 B1) further teaches: each of the lighting units being connected to an output Qs (Figure 1) of a control device 20 (Figure 1, column 2, lines 48-56); each of the plurality of regulating modules TRs being connected to the respective one of the outputs of the control device 20 (Figure 1); each of the regulating module having its output connected to the respective one of the LEDs (Figure 1); and the device 20 actuating the light units in an operatively independent manner using respective regulating module TRs (Figure 1, column 2, lines 48-56).

The above teaching of Bello, Jr. in combination with Fleischmann ('180B1) meets the limitations of Claim 1.

Argument: Kazar ('595) does not teach an illumination system analogous to that as described and disclosed in the disclosure.

Response: As detailed in section 3 above, and in the previous non-final office action, Fleischmann ('180 B1) in view of Bello ('877 B1) discloses the lighting system for an aircraft cabin, and the lighting system including a plurality of LEDs emitting different light colors including white produced by mixing different color lights from the LEDs.

However neither combined nor individual teaching of Fleischmann ('180 B1) and Bello ('877 B1) teaches the aircraft cabin light system including means for pulse width modulation.

On the other hand, Kazar ('595) discloses a lighting apparatus (Figure 1) including means supporting actuation of the LEDs 9 with pulse width modulation (Figures 1 and 9, column 7, 7, lines 32-37) for controlling the length of time of each selected LED for production of the predetermined light color.

Thus, , Fleischmann ('180 B1) in view of Bello ('877 B1) and Kazar ('595) meets the limitations of Claim 6.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S. Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 6:15 - 2:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571 272 2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HSS
8/12/2005


Stephen Husar
Primary Examiner